

110TH CONGRESS
1ST SESSION

H. R. 3631

To authorize the establishment of a National Center for Learning Science
and Technology Trust Fund.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2007

Mr. YARMUTH (for himself, Mr. REGULA, Mr. KENNEDY, Mr. MARKEY, and
Mr. HONDA) introduced the following bill; which was referred to the Com-
mittee on Education and Labor

A BILL

To authorize the establishment of a National Center for
Learning Science and Technology Trust Fund.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Revolutionizing Edu-
5 cation Through Digital Investment Act of 2007”.

6 **SEC. 2. NATIONAL CENTER FOR LEARNING SCIENCE AND**
7 **TECHNOLOGY TRUST FUND.**

8 (a) ESTABLISHMENT.—There is established a non-
9 profit corporation to be known as the “National Center
10 for Learning Science and Technology” (referred to in this

1 Act as the “Center”) which shall not be an agency or es-
2 tablishment of the United States Government. The Center
3 shall be subject to the provisions of this section, and, to
4 the extent consistent with this section, to the District of
5 Columbia Nonprofit Corporation Act (D.C. Code, section
6 29–501 et seq.).

7 (b) FUNDING.—

8 (1) IN GENERAL.—There is established in the
9 Treasury a separate fund to be known as the “Na-
10 tional Center for Learning Science and Technology
11 Trust Fund” (referred to in this Act as the “Trust
12 Fund”). The Trust Fund shall contain such
13 amounts as are credited to the Trust Fund under
14 paragraph (2) and other funds obtained under para-
15 graph (3).

16 (2) AUTHORIZATION OF APPROPRIATIONS.—
17 There are authorized to be appropriated to the
18 Trust Fund such sums as may be necessary for the
19 fiscal years 2008 through 2012.

20 (3) ADDITIONAL FUNDS.—The Trust Fund is
21 authorized—

22 (A) to accept funds from any Federal
23 agency or entity;

1 (B) to accept, hold, administer, invest, and
2 spend any gift, devise, or bequest of real or per-
3 sonal property made to the Center; and

4 (C) to enter into contracts with individ-
5 uals, public or private organizations, profes-
6 sional societies, and government agencies for
7 the purpose of carrying out the functions of the
8 Center.

9 (c) BOARD OF DIRECTORS; FUNCTIONS, AND DU-
10 TIES.—

11 (1) IN GENERAL.—A board of directors of the
12 Center (referred to in this Act as the “Board”) shall
13 be established to oversee the administration of the
14 Center. Such Board shall consist of 9 members to be
15 appointed by the Secretary of Education, who—

16 (A) reflect representation from the public
17 and private sectors; and

18 (B) shall provide, as nearly as practicable,
19 a broad representation of various regions of the
20 United States, various professions and occupa-
21 tions, and various kinds of talent and experi-
22 ence appropriate to the functions and respon-
23 sibilities of the Center.

24 (2) ORGANIZATION AND OPERATION.—The
25 board shall incorporate and operate the center in ac-

1 cordance with the laws governing tax exempt organi-
2 zations in the District of Columbia.

3 (d) TRUST FUND USES.—

4 (1) USES OF FUNDS.—To achieve the objectives
5 of this Act, the Director of the Center, after con-
6 sultation with the Board, may use Trust funds—

7 (A) to support basic and applied research
8 development and demonstrations of innovative
9 learning and assessment systems as well as the
10 components and tools needed to create them;

11 (B) to support the testing and evaluation
12 of these systems; and

13 (C) to encourage the widespread adoption
14 and use of effective approaches to learning.

15 (2) CONTRACTS AND GRANTS.—

16 (A) IN GENERAL.—In order to carry out
17 the activities described in paragraph (1), the
18 Director of the Center, with the agreement of
19 a majority of the members of the Board, may
20 award contracts and grants to colleges and uni-
21 versities, museums, libraries, public broad-
22 casting entities and similar nonprofit organiza-
23 tions and public institutions (with or without
24 private partners).

25 (B) PUBLIC DOMAIN.—

1 (i) IN GENERAL.—The research and
2 development properties and materials asso-
3 ciated with a project in which a majority
4 of the funding used to carry out the
5 project is from a grant or contract under
6 this Act shall be freely and nonexclusively
7 available to the general public in a timely
8 manner.

9 (ii) EXEMPTION.—The Director of the
10 Center may exempt specific projects from
11 the requirement of clause (i) if the Direc-
12 tor of the Center and a majority of the
13 members of the Board determine that the
14 general public will benefit significantly due
15 to the project not being freely and non-
16 exclusively available to the general public
17 in a timely manner.

18 (C) PEER REVIEW.—To the extent prac-
19 ticable, proposals for grants or contracts shall
20 be evaluated on the basis of comparative merit
21 by panels of experts who represent diverse in-
22 terests and perspectives, and who are appointed
23 by the Director of the Center from rec-
24 ommendations from the fields served and from
25 the Board of Directors.

1 (e) ACCOUNTABILITY AND REPORTING.—

2 (1) REPORT.—

3 (A) IN GENERAL.—Not later than April 30
4 of each year, the Director of the Center shall
5 prepare a report for the preceding fiscal year
6 that contains the information described in sub-
7 paragraph (B).

8 (B) CONTENTS.—A report under subpara-
9 graph (A) shall include—

10 (i) a comprehensive and detailed re-
11 port of the Center's operations, activities,
12 financial condition, and accomplishments,
13 and such recommendations as the Director
14 of the Center determines appropriate;

15 (ii) a comprehensive and detailed in-
16 ventory of funds distributed from the
17 Trust Fund during the fiscal year for
18 which the report is being prepared; and

19 (iii) an independent audit of the Trust
20 Fund's finances and operations, and of the
21 implementation of the goals established by
22 the Board.

23 (C) STATEMENT OF THE BOARD.—Each
24 report under subparagraph (A) shall include a
25 statement from the Board containing—

1 (i) a clear description of the plans and
2 priorities of the Board for the subsequent
3 5-year period for expenditures from the
4 Trust Fund; and

5 (ii) an estimate of the funds that will
6 be available for such expenditures from the
7 Trust Fund.

8 (D) SUBMISSION TO THE PRESIDENT AND
9 CONGRESS.—A report under this subsection
10 shall be submitted to the President and the
11 Committee on Education and Labor of the
12 House of Representatives and the Committee
13 on Health, Education, Labor, and Pensions of
14 the Senate.

15 (2) TESTIMONY.—The Director and principal
16 officers of the Center shall testify before the appro-
17 priate committees of Congress, upon request of such
18 committees, with respect to—

19 (A) a report prepared under paragraph
20 (1)(A); and

21 (B) any other matter that such committees
22 may determine appropriate.

23 (f) USE OF FUNDS SUBJECT TO APPROPRIATIONS.—
24 The authority to make grants or enter into contracts or
25 otherwise to expend funds under this section is subject to

- 1 such amounts as are provided in advance in appropriations
- 2 Acts.

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